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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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9 RAY LEE VAUGHN,

10 Petitioner,

11 vs.

12 D. ADAMS,

13 Respondent.
14 _____/

CASE NO. CV-F-01-5241 OWW DLB HC

ORDER VACATING HEARING ON _____
PETITIONER'S MOTION FOR
IMMEDIATE RELEASE AND TAKING
MATTER UNDER SUBMISSION

[Doc. 56]

15 Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28
16 U.S.C. § 2254. Petitioner is represented by Carolyn Wiggin, Esq.

17 On April 24, 2006, Petitioner filed a motion for immediate release pending review of the instant
18 petition, and set the motion for oral argument on August 11, 2006 at 9:00 a.m. The petition is currently
19 fully briefed by the parties. (Court Docs. 65, 67.)

20 The Court finds oral argument unnecessary to resolve Petitioner's motion; therefore, the hearing
21 scheduled for August 11, 2006, is VACATED, and the Court will issue a written ruling on the motion
22 and a recommendation on the merits of the petition for writ of habeas corpus in due diligence.

23 IT IS SO ORDERED.

24 **Dated: August 9, 2006**
3b142a

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE